THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITON NO.3194 OF 2006

DATED: 21-02-2006

BETWEEN:

Kunchepu Peddakka, W/o. K. Venkatesulu

And two others … Petitioners

and

The District Collector and District Magistrate

Anantapur, Anantapur District

And two others … Respondents

THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITON NO.3194 OF 2006

ORDER:

Petitioners 1 to 3 filed this writ petition seeking to declare the action of the 2nd and 3rd respondents in not taking action in pursuance of the proceedings of the first respondent as illegal and arbitrary.

Heard the learned counsel appearing for the petitioners and the learned Government Pleader for the respondents and perused the material on record.

Learned counsel for the petitioners submits that the petitioners are in occupation of the land in an extent of Ac.1.51 cents in S.No.94 and Ac.0.25 cents in S.No.161 of Anantapur Rural. They made certain representations for assignment of the said land before the 2nd respondent but the 2nd respondent refused to assign the

said land as it is classified as Vankaporamboku and therefore no assignment was made. Thereafter, petitioners filed a representation before the District Collector and on their representation, the District Collector, Anantapur vide his proceedings in D.Dis.No. E4/1470/04, dated 26-03-2004 directed the Revenue Divisional Officer to take necessary action on the proposal submitted by the Mandal Revenue Officer, Anantapur in Rc.B2/2225/03, dated 20-02-2003 communicated in Rc.2780/02, dated 27-10-2003 keeping in view of the instructions issued by the CCLA.A.P., Hyderabad. It is stated that if the Revenue Divisional Officer consider the said direction, the land will be reclassified from Vankaporamboku to assessed waste and in which case the petitioners are entitled for assignment.

Having regard to the facts and circumstances of the case, I am not inclined to express any opinion whether Vankaporamboku can be converted and reclassified as assessed waste so as to enable the revenue authorities to assign the said land in accordance with law. However, no action has been taken so far pursuant to the proceedings of the District Collector dated 26-03-2004, I deem it appropriate to direct the Revenue Divisional Officer, Anantapur to take necessary action within 10 weeks from the date of receipt of a copy of this order.

Writ petition is accordingly disposed of. No order as to costs.

_____

V. ESWARAIAH, J.

Dated: 21-02-2006

rns